



PATENT
Docket No. 529452000121

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

David W. MORRIS and Eric K.
ENGELHARD

Serial No.: 10/085,117

Filing Date: February 27, 2002

For: NOVEL COMPOSITIONS AND
METHODS FOR CANCER

Examiner: To Be Assigned

Group Art Unit: To Be Assigned

**PROSECUTION BY ASSIGNEE AND POWER OF ATTORNEY
UNDER 37 C.F.R. § 3.71**

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Sagres Discovery, the assignee of the entire right, title and interest in this patent application, under 37 C.F.R. § 3.71 hereby appoints:

Lisa A. Amii (Reg No. 48,199)	Randolph Ted Apple (Reg No. 36,429)
Mehran Arjomand (Reg No. 48,231)	Laurie A. Axford (Reg No. 35,053)
Erwin J. Basinski (Reg No. 34,773)	Shantanu Basu (Reg No. 43,318)
Richard R. Batt (Reg No. 43,485)	Vincent J. Belusko (Reg No. 30,820)
Jonathan Bockman (Reg No. 45,640)	Kimberly A. Bolin (Reg No. 44,546)
Barry E. Bretschneider (Reg No. 28,055)	Tyler S. Brown (Reg No. 36,465)
Nicholas Buffinger (Reg No. 39,124)	A. Randall Camacho (Reg No. 46,595)
Mark R. Carter (Reg No. 39,131)	Robert K. Cerpa (Reg No. 39,933)
Peng Chen (Reg No. 43,543)	Alex Chartove (Reg No. 31,942)
Thomas Chuang (Reg No. 44,616)	Thomas E. Ciotti (Reg No. 21,013)
Cara M. Coburn (Reg No. 46,631)	Matthew M. D'Amore (Reg No. 42,457)
Raj S. Davé (Reg No. 42,465)	Peter Davis (Reg No. 36,119)
David Devernoe (Reg No. P-50,128)	Karen B. Dow (Reg No. 29,684)
Stephen C. Durant (Reg No. 31,506)	Richard R. Eckman (Reg No. 42,504)
Elisabeth M. Everts (Reg No. 50,304)	Carolyn A. Favorito (Reg No. 39,183)
David L. Fehrman (Reg No. 28,600)	Hector Gallegos (Reg No. 40,614)
Thomas George (Reg No. 45,740)	Deborah S. Gladstein (Reg No. 43,636)

Debra J. Glaister (Reg No. 33,888)
Bruce D. Grant (Reg No. 47,608)
Douglas G. Hodder (Reg No. 41,840)
Charles D. Holland (Reg No. 35,196)
Jacobson (Reg No. 40,030)
Madeline I. Johnston (Reg No. 36,174)
Ararat Kapouytian (Reg No. 40,044)
Cameron A. King (Reg No. 41,897)
Kawai Lau (Reg No. 44,461)
Rimas T. Lukas (Reg No. 46,451)
Robert S. McArthur (Reg No. 45,674)
Philip A. Morin (Reg No. P-45,926)
Martin M. Noonan (Reg No. 44,264)
Phillip Reilly (Reg No. 41,415)
Robert E. Scheid (Reg. No. 42,126)
Terri Shieh-Newton (Reg No. 47,081)
Kevin R. Spivak (Reg No. 43,148)
Thomas L. Treffert (Reg No. P48,279)
Michael R. Ward (Reg No. 38,651)
Todd W. Wight (Reg No. 45,218)
Frank Wu (Reg No. 41,386)
Peter J. Yim (Reg No. 44,417)
Karen R. Zachow (Reg No. 46,332)

Kenneth R. Glick (Reg No. 28,612)
Johney U. Han (Reg No. 45,565)
Alan S. Hodes (Reg No. 38,185)
Arthur S. Hsieh (Reg No. 48,247) Jill A.
Wayne Jaeschke, Jr. (Reg No. 38,503)
Parisa Jorjani (Reg No. 46,813)
Richard C. Kim (Reg No. 40,046)
Lawrence B. Kong (Reg No. P49,043)
Glenn Kubota (Reg No. 44,197)
Michael J. Mauriel (Reg No. 44,226)
Gladys H. Monroy (Reg No. 32,430)
Kate H. Murashige (Reg No. 29,959)
Catherine M. Polizzi (Reg No. 40,130)
Robert Saltzberg (Reg No. 36,910)
Debra A. Shetka (Reg No. 33,309)
David Smith (Reg No. 39,839)
Stanley H. Thompson (Reg No. 45,160)
Brenda J. Wallach (Reg No. 45,193)
E. Thomas Wheelock (Reg No. 28,825)
Eric Witt (Reg No. 44,408)
David T. Yang (Reg No. 44,415)
George C. Yu (Reg No. 44,418)

all of Morrison & Foerster LLP, 755 Page Mill Road, Palo Alto, California 94304-1018, telephone (650) 813-5600, to prosecute this application and transact all matters in the United States Patent and Trademark Office connected therewith, said appointment to be to the exclusion of the inventors and their attorneys in accordance with the provisions of 37 C.F.R. § 3.71 provided that if any one of said attorneys or agents ceases being affiliated with the law firm of Morrison & Foerster LLP as partner, employee or of counsel, such attorney's or agent's appointment as attorney or agent and all powers derived therefrom shall terminate on the date such attorney or agent ceases being so affiliated.

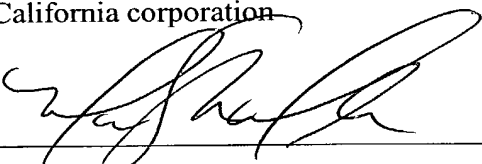
Please direct all written communications relative to this application to:

Gladys Monroy
Morrison & Foerster LLP
755 Page Mill Road
Palo Alto, California 94304-1018

Please direct all telephone communications to Shantanu Basu at (650) 813-5995.

Sagres Discovery
a California corporation

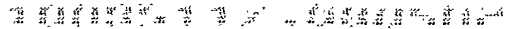
Dated: 5-23, 2002



Name: Marc Malandro

Title: Vice President

Address: 2795 2nd Street, Suite 400
Davis, California 95616



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

pa-691898

COPY

**ASSIGNMENT
JOINT**

THIS ASSIGNMENT, by David W. MORRIS and Eric K. ENGELHARD (hereinafter referred to as the assignors), residing at 1802 Valdora Street, Davis, California 95616 and 704 Hudson Street, Davis, California 95616, respectively, witnesseth:

WHEREAS, said assignors have invented certain new and useful improvements in NOVEL COMPOSITIONS AND METHODS FOR CANCER, set forth in an application for Letters Patent of the United States, bearing Serial No. 10/085,117 and filed on February 27, 2002; and

WHEREAS, Sagres Discovery, a corporation duly organized under and pursuant to the laws of California and having its principal place of business at 2795 2nd Street, Suite 400, Davis, California 95616 (hereinafter referred to as the assignee) is desirous of acquiring the entire right, title and interest in and to said inventions and said application for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon:

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, said assignors have sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto said assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by said assignee, for its own use and the use of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the assignors, had this sale and assignment not been made.

AND for the same consideration, said assignors hereby covenant and agree to and with said assignee its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, said assignors are the sole and lawful owners of the entire right, title and interest in and to said inventions and the application for Letters Patent above-mentioned, and that the same are unencumbered and that said assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

AND for the same consideration, said assignors hereby covenant and agree to and with said assignee, its successors, legal representatives and assigns, that said assignors will, whenever counsel of said assignee, or the counsel of its successors, legal representatives and assigns, shall advise that any proceeding in connection with said inventions, or said application for Letters Patent, or any proceeding in connection with Letters Patent for said inventions in any country, including interference proceedings, is lawful and desirable, or that any division, continuation or continuation-in-part of any application for Letters Patent or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said inventions, without charge to said assignee, its successors, legal representatives and assigns, but at the cost and expense of said assignee, its successors, legal representatives and assigns.

AND said assignors hereby request the Commissioner of Patents to issue said Letters Patent of the United States to said assignee as the assignee of said inventions and the Letters Patent to be issued thereon for the sole use of said assignee, its successors, legal representatives and assigns.

5/17/02
Date

David W. MORRIS

5/17/02
Date

Eric K. ENGELHARD



PATENT
Docket No. 529452000121

DECLARATION FOR UTILITY PATENT APPLICATION

AS BELOW-NAMED INVENTORS, WE HEREBY DECLARE THAT:

Our residences, post office addresses, and citizenship are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled: NOVEL COMPOSITIONS AND METHODS FOR CANCER, the specification of which is attached hereto unless the following box is checked:

☒ was filed on February 27, 2002 as United States Application Serial No. 10/085,117

WE HEREBY STATE THAT WE HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE.

We acknowledge the duty to disclose information which is material to the patentability as defined in 37 C.F.R. § 1.56.

We hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Application No.	Country	Date of Filing (day/month/year)	Priority Claimed?
			<input type="checkbox"/> Yes <input type="checkbox"/> No

We hereby claim benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Serial No.	Filing Date

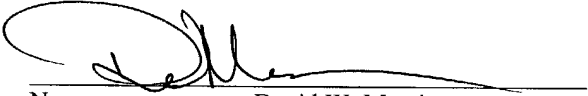
We hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, we acknowledge the duty to disclose information which is material to

patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

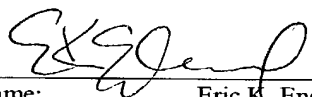
Application Serial No.	Filing Date	Status
09/747,377	12/22/00	<input type="checkbox"/> Patented <input checked="" type="checkbox"/> Pending <input type="checkbox"/> Abandoned
09/798,586	03/02/01	<input type="checkbox"/> Patented <input checked="" type="checkbox"/> Pending <input type="checkbox"/> Abandoned

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

5/17/02
Date


Name: David W. Morris
Residence: Davis, California
Citizenship: United States of America
Post Office Address: 1802 Valdora St., Davis, California 95616

5/17/02
Date


Name: Eric K. Engelhard
Residence: Davis, California
Citizenship: United States of America
Post Office Address: 704 Hudson Street, Davis, California 95616